

Page 3/17
RECEIVED
CENTRAL FAX CENTER
JAN 02 2008

Application Number 10/567975
Response to Office Action dated 10/02/2007

Amendments to the Drawings:

The attached sheets of drawings include changes to figures 26, 27 and 28. The sheet containing figures 25 and 26 replaces the original sheet containing figures 25 and 26. The sheet containing figures 27 and 28 replaces the original page containing figures 27 and 28. The legend --Prior Art-- has been added to each of figures 26, 27 and 28 in accordance with the requirements of the present Office Action.

Application Number 10/567975
Response to Office Action dated 10/02/2007

RECEIVED
CENTRAL FAX CENTER

JAN 02 2008

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

Figures 26-28 have been amended according to the Examiner's request.

Claim 1 has been amended as supported by Figures 1 and 2 and from page 11, line 24 to page 12, line 4 of the specification.

Claims 3, 6, 7, 8, and 10 have been amended editorially. New claim 18 reflects original claim 12, written in independent form. New claim 19 reflects original claim 14, written in independent form.

Claims 9, 11-17 have been cancelled without prejudice; therefore, the rejection for these claims are moot.

Claims 1, 3, and 10 have been rejected under 35 U.S.C. 102 (a) as being anticipated by Masanori et al. (Japanese Patent Application Publication No. 2003-332173). Applicant respectfully traverses this rejection.

Yoshida does not disclose two cathode plates that claim 1 of the present invention requires. Accordingly, Yoshida also does not disclose positions of the first and the second cathode plates formed on the first and the second surface of the porous sintered body, respectively, as claim 1 requires. Therefore, claim 1 is distinguished from the reference.

Claims 1, 3, 5-6, and 7-8 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Taniguchi (US Patent No. 5184287). Applicant respectfully traverses this rejection.

Application Number 10/567975
Response to Office Action dated 10/02/2007

Taniguchi does not disclose two separate cathode plates required by claim 1. Claim 1 further requires a shorting conductive member for shorting the first and second cathode plates, which Taniguchi also does not disclose. Therefore, claim 1 is distinguished from the reference.

Claims 1-2, 5-6 and 9 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Unokuchi (Japanese Patent Application Publication No. 2000-306774 in view of Edson et al. (US Patent Application Publication No. 2004/0066607). Applicant respectfully traverses this rejection.

Applicant attaches a full copy of Japanese Publication No. 2000-306774 to replace with the copy of Japanese Patent Application Publication No. 2000-306744 inadvertently filed with the February 10, 2006 IDS instead of '774. The correct abstract for the '774 publication was filed with the IDS.

Unokuchi discloses two anode terminals provided by portions of the anode projecting from the porous sintered body but does not disclose that such porous sintered body has first and second surfaces opposite to each other and that the anode partially projects from the sintered body between the first and second surfaces, as claim 1 requires. Claim 1 further requires two cathode plates to be formed on the first surface and the second surface, respectively, with the porous sintered body intervening between the two. Unokuchi also does not disclose this structure. Therefore, claim 1 is distinguished from Unokuchi, and Edson, which is cited for anode wire structures, which does not remedy the deficiencies of Unokuchi. Therefore, the rejection of claims 1-2, 5-6 and 9 should be withdrawn.

Claims 4 and 8 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Unokuchi (Japanese Application Publication No. JP 2000-306774 and Edson et al. (US Patent Application Publication No. 2004/0066607) as applied to claim 1 above, and further in view Yoshida et al. (Japanese Patent Application Publication JP 2000-12387). Applicant respectfully traverses this rejection.

Application Number 10/567975
Response to Office Action dated 10/02/2007

RECEIVED
CENTRAL FAX CENTER
JAN 02 2008

Unokuchi and Edson do not disclose or suggest claim 1 as discussed above.
Yoshida does not remedy such deficiencies of Unokuchi and Edson. Applicants are not conceding the correctness of the rejection.

Original claims 12 and 14 were considered allowable. Therefore, claims 18 and 10 are in condition for allowance.

In view of the above, Applicant requests reconsideration of the application in the form of a Notice of Allowance.



Dated: January 2, 2008

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By:

A handwritten signature in cursive script, appearing to read "Curtis B. Hamre".

Curtis B. Hamre
Reg. No. 29,165 for
Douglas P. Mueller
Reg. No. 30,300
DPM/CBH/my/lis